

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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Evgeny A. Freidman, Vladimir Basin,  
Mamed Dzhaniev, Victory Taxi Garage  
Inc., Tunnel Taxi Management, LLC,  
Downtown Taxi Management, LLC, Bazar  
Taxi Inc. Patron Taxi LLC, Grappa Taxi  
LLC, Cognac Taxi LLC, Calvados Taxi  
LLC, Tequila Taxi LLC, Jack Daniels  
Taxi LLC, Murzik Taxi Inc., Malinka  
Taxi Inc., Yagodka Taxi Inc., Persik Taxi  
Inc., Bratishka Taxi Inc., Pumo Taxi Inc.,  
Piguet Taxi Inc., Kormilitza Taxi Inc.,  
Prada Taxi, Inc., Student Taxi, Inc., Hublot  
Taxi Inc., Torpedo Taxi Inc., Black Label  
Taxi LLC, Praga Taxi Inc., Two Hump Taxi  
LLC, Kroshka Taxi Inc., Lacoste Taxi Inc.,  
Sangria Taxi LLC, Volba Taxi Inc.,

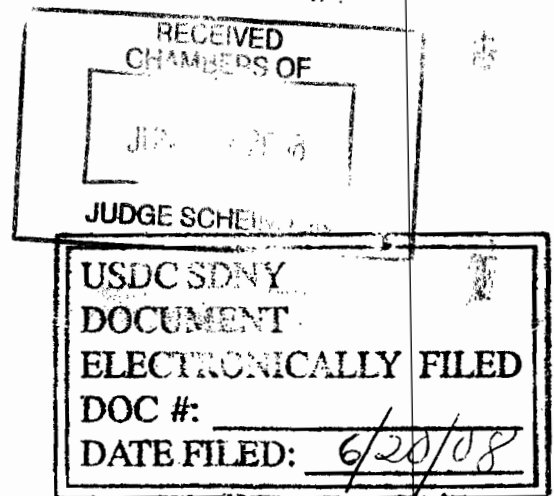
Plaintiffs,

v.

General Motors Corp., ElDorado  
National, Inc., and Arcola Sales &  
Service Corp.,

Defendants.  
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**Civil Action No. 1:08-CV-02458 (SAS)**



**STIPULATION AND ~~PROPOSED~~ ORDER**

WHEREAS, Plaintiffs filed a complaint in the above-captioned action on March 11, 2008 (the "Complaint"); and

WHEREAS, Defendant Arcola Sales & Service Corp. ("Arcola") filed its answer and cross claimed against Defendants General Motors Corporation ("General Motors") and ElDorado National, Inc. ("ElDorado") on April 30, 2008 (the "Answer and Cross Claim"); and

WHEREAS, Defendants General Motors and ElDorado each filed motions to dismiss the Complaint for failure to state a claim on April 30, 2008 and May 21, 2008 (together, the “Motions to Dismiss”), respectively; and

WHEREAS, Plaintiffs filed their First Amended Complaint on June 9, 2008 (the “Amended Complaint”); and

WHEREAS, the parties intend to attempt to resolve this dispute through mediation, and desire to establish a briefing schedule that affords adequate time to achieve such resolution;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for the respective parties, as follows:

1. The Motions to Dismiss are hereby withdrawn without prejudice;
2. Defendants consent to Plaintiffs’ amendment of their pleading and, therefore, Plaintiffs’ First Amended Complaint is the operative complaint in this action (and Arcola’s Cross-Claim will apply to the First Amended Complaint);
3. Defendants shall submit answers to, or opening briefs in support of any motions to dismiss, Plaintiff’s Amended Complaint, which briefs shall be coordinated to the extent possible, on or before August 30, 2008;
4. Answering briefs to all motions referenced in paragraph 3 shall be filed on or before September 30, 2008, which briefs shall be coordinated to the extent possible;
5. Reply briefs in further support of the motions referenced in paragraph 3 shall be filed on or before October 30, 2008, with the parties coordinating such briefs to the extent possible;
6. ElDorado shall submit its answer to, or an opening brief in support of any motion to dismiss, Arcola’s Cross Claim, on or before August 30, 2008, and the dates for Arcola’s

answering brief and ElDorado's reply brief, if any, shall coincide with the dates set forth in paragraphs 4 and 5, respectively.

Dated: June 18, 2008



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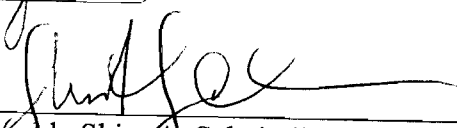


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**IT IS SO ORDERED**, this 19 day of June, 2008

  
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Honorable Shira A. Scheindlin, U.S.D.J.